

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on May 17, 2005 (“Office Action”), and the references cited therewith.

Claims 1, 8, and 15 are amended, no claims are canceled, and no claims are added; as a result, Claims 1-19 are now pending in this application.

Section 103 Rejection of the Claims

Claims 1-4, 6, 8-11, 13 and 15-19 were rejected under 35 USC §103(a) as being unpatentable over Thompson (U.S. Patent 5,441,070). Applicant respectfully requests the Examiner enter the amendments submitted herein and reconsider this rejection in light of the amended claims.

In support of this rejection, the Examiner states on page 3 of the Office Action that “Thompson does not expressly disclose the house occupied by a single user.” Further, the Examiner “takes Official Notice that it is widely known for houses to be occupied by a single user.” Applicant believes the Examiner has interpreted the phrase “single user demand detector” present in Claims 1, 8, and 15 such that the word “single” modifies the word “user” instead of modifying the phrase “user demand detector.” Applicant respectfully requests that the Examiner enter the minor amendments to clarify this. The amendments are grammatical in nature and consist of inserting a comma after the word “user” in the phrase “single user demand detector.” Thus, the amendments clarify that the present invention uses a single detector.

Applicant contends that the claims, as amended, differentiate the Applicant’s invention from Thompson. The claims, as amended, indicate that Applicant’s invention has but one (i.e., a single) detector whereas Thompson requires a plurality of flow sensors (i.e., user demand detectors). It is precisely this difference that makes the present invention significantly less expensive to install and to maintain than the cost-prohibitive system of Thompson. This was explained in the Response filed May 4, 2005 in the following manner:

The multiple flow sensors required in Thompson create exactly the kind of complexity that the present invention seeks to avoid. The cost of producing and installing a fluid management system with a plurality of flow sensors can be prohibitively expensive. Moreover, the complexity of the system makes it significantly more expensive and difficult to maintain than the present invention.

Each flow sensor in Thompson is connected by wire to a management device 100. See Figure 1. The average residential structure will have a significant number of wires running from the management device 100 to each of the flow sensors. Installing all the wires is an extremely time consuming and expensive endeavor, especially in an already existing home. Many commercial structures will be larger and have even more flow sensors, requiring even more wiring.

The present invention, on the other hand, utilizes a single user demand detector. The single user demand detector can be positioned in close proximity to the other elements of the present invention (pressure decay detector, shut-off valve, etc.), as shown in Figure 1, so that the present invention can be easily placed in a single housing structure. Thus, the entire leak detection system can be more easily installed and maintained than the system in Thompson.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (989-297-1298) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No 50-3019.

Respectfully submitted,

RALPH W. COOPER

By their Representatives,

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Date July 18, 2005

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 18 day of July, 2005.

Chris Hammond

Name

Signature

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